

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

1954-394

First Inventor

Don J. DIAMOND

Title

HUMAN CYTOMEGALOVIRUS ANTIGENS  
EXPRESSED IN MVA AND METHODS OF USE

19270 U.S. PTO

10/825629

041604

- ☒ **Applicant for Published Patent Application:** City of Hope  
Duarte, California USA

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Director of U.S. Patent and Trademarks  
Box: Patent Application  
Alexandria, VA 22313-1450

1. ☒ **Fee Transmittal Form (WITHOUT PAYMENT)**  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
3. ☒ Specification Total pages [ 92 ]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross references to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings
  - Detailed Description
  - Claims
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) (Total Sheets) [ 30 ]
5. ☐ Oath or Declaration (Total Pages) [ ]
- a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application  
(37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
- [Note Box 5 below]**
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,
6. ☒ Application Data Sheet.

7. ☐ CD-ROM or CD-R in duplicate, large table  
or Computer Program
8. Nucleotide and/or Amino Acid Sequence Submission
- a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper
  - c. ☒ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement  
(when there is an assignee)
- ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement /PTO 1449
- ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s).
16. ☐ Request and Certification under 35 U.S.C.  
122(b)(2)(B)(i).
17. ☐ Other:

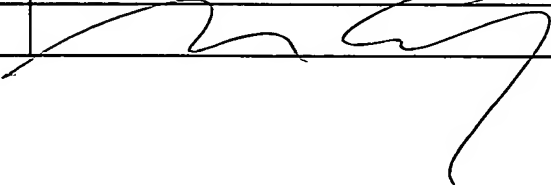
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76::

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner \_\_\_\_\_ Group/Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

- ☒ Customer Number or Bar Code Label **6449**

Address	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031
Name	Martha Cassidy, Reg. No. 44,066				
Signature				Date April 16, 2004	

041604

22651 U.S. PTO

# **FEE TRANSMITTAL for FY 2003 (Small Entity)**

Complete if Known

<b>FEE TRANSMITTAL for FY 2003 (Small Entity)</b>		Application Number	To Be Assigned
		Filing Date	April 16, 2004
		First Named Inventor	Don J. DIAMOND
		Examiner Name	To Be Assigned
		Group Art Unit	To Be Assigned
Total Amount of Payment	(\$) <b>0.00</b>	Attorney Docket Number	1954-394

## **METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.

2. ☐ Payment Enclosed:

☐ Check

☐ Credit Card

## **FEE CALCULATION**

### **1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
2001	385	Utility filing fee	[385.00]
2002	170	Design Filing Fee	[ ]
2003	265	Plant Filing Fee	[ ]
2004	385	Reissue Filing Fee	[ ]
2005	80	Provisional Filing Fee	[ ]

**SUBTOTAL \$ 385.00**

### **2. CLAIMS**

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[16]	[ ]	[ ]	- 20** = [ ] x	\$ 9 = [ ]	[ ]
[2]	[ ]	[ ]	- 3** = [ ] x	43 = [ ]	[ ]
			+	145 = [145]	[ ]

\*\*or number previously paid, if greater;

**SUBTOTAL \$ 145.00**

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or oath	[ ]
2052	25	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1805	1,840*	Requesting publication of SIR after Examiner action	[ ]
2251	55	Extension for reply within first month	[ ]
2252	210	Extension for reply within second month	[ ]
2253	475	Extension for reply within third month	[ ]
2254	740	Extension for reply within fourth month	[ ]
2255	1,005	Extension for reply within fifth month	[ ]
2401	165	Notice of Appeal	[ ]
2402	165	Filing a brief in support of an appeal	[ ]
2403	145	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
2452	55	Petition to revive -unavoidable	[ ]
2453	475	Petition to revive - unintentional	[ ]
2501	665	Utility issue fee (or reissue)	[ ]
2502	240	Design issue fee	[ ]
2503	320	Plant issue fee	[ ]
1460	130	Petitions to the Commissioner	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
8021	40	Recording each patent assignment per property (times number of properties)	[ ]
2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	[ ]
2810	385	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
2801	385	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing an application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
Other fee (specify)			[ ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL \$**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Martha Cassidy, Reg. No. 44,066		
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	02-2135